

**REMARKS**

This is in response to the Office Action mailed July 30, 2004. By this Amendment, claims 1-10 are pending in this application.

In the Office Action, the drawings were objected to under 37 CFR 1.83(a). Specifically, the Examiner has indicated that the "die" for claim 9 must be shown or the feature(s) cancelled from the claim(s). The undersigned respectfully disagrees with the Examiner as die 106 is shown in Fig. 5. A copy of Fig. 5 is included with die 106 highlighted. For the Examiner's convenience, a copy of all of the Figures has been provided.

Further in the Office Action, claims 1-2, 5-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Thomson et al. Applicant believes these claims are distinguishable over the prior art, specifically Thomson et al. Specifically, the Applicant believes that since valve body 17 itself is used to affix refrigerant tube 8 onto valve body 17, the present invention is distinguishable.

Applicant recognizes Thomson (and its obstacle) in the "Background of the Invention", page 3, lines 18-20, with: "A retaining plate with appropriately-sized openings is received around the tube and is fastened such as by a bolt to the block valve. This technique is shown in U.S. Pat. No. 5,269,459." An object of the present invention is to avoid having a foreign body and fastener which complicates the design with further parts. Rather, as brought out on page 9, lines 16-29, in the present application: "the surface 89 of body 17 surrounding counterbore 86 is mechanically deformed to tightly attach refrigerant tube 8 to the body.... The deformed surface material, indicated

generally at 104, substantially encloses bead 82 within the counterbore 86 around the entire circumference of the tube". Therefore a further fastening body (or fastener) is not needed. Rather the valve body 17 itself is used to provide the stake. Independent claims 1, 5 and 6 all bring out this difference. Dependent claims 2, 7-9 are also distinguishable based on their dependence on independent claims 1 and 6.

After speaking with the Examiner, it was concluded that these claims could be amended to clearly show the differences with the fastening arrangement of Thomson. Applicant has taken the Examiner's comments and amended claims 1, 5 and 6 to fully address these differences. Applicant believes that these distinguishing differences are clearly addressed with the amended wording of the claims.

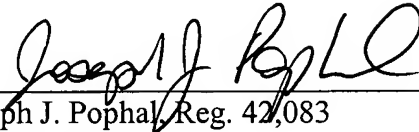
The Examiner further rejected claims 3 and 4 under 35 USC 103(a) as being unpatentable over Thomson et al, in view of Zajac (6,185,959). Applicant believes that the arguments and amendment addressed above should put claim 1 into condition for allowance. If these are accepted by the Examiner, then claims 3 and 4 based on their dependence on claim 1 should also be allowable.

In light of the above, it is respectfully submitted that all of the claims in this application should now be in condition for allowance. Prompt notice to that effect is respectfully requested. Nevertheless, should the Examiner continue to believe otherwise,

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the Examiner is kindly requested to contact the undersigned attorney by telephone,  
should the Examiner believe it would result in a furtherance of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph J. Pophal", is written over a horizontal line.

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